IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

IN RE:	)	
EXPLO SYSTEMS, INC.	)	CASE NO. 13-12046
DEBTOR	)	CHAPTER 11

DECLARATION OF PAIGE DELGADO

I, Paige Delgado, state as follows to the best of my knowledge, information and belief:

1. I have reviewed EPA Region 6 files in preparing this declaration and/or have personal knowledge of facts set forth in this declaration.

2. I have been employed with the United States Environmental Protection Agency ("EPA"), Region 6 as an On-Scene Coordinator, since January 18, 2009. My current position is an On-Scene Coordinator in the Region 6 Superfund Division. Region 6 encompasses the states of New Mexico, Oklahoma, Arkansas, Louisiana, and Texas. Prior to my employment at EPA, I was employed by Weston Solutions, Inc. and worked as an EPA Superfund Technical Assistance and Response Team Contractor from 2001-2009. Since 2009, I have conducted several oil and hazardous materials emergency responses and removal actions as an On-Scene Coordinator in the Superfund Division. In performing my duties as the EPA On-Scene Coordinator, I coordinate on-going site issues with the State and Federal Agencies and provide advice and recommendations to final decision-makers throughout the Region and EPA Headquarters with respect to the Camp Minden Site, located in Webster Parish, Louisiana. I have successfully completed the Explosives

Safety Course for Explosives Handlers in compliance with the Louisiana Administrative Code Title 55, Part I, Chapter 15. Explosives Code.

3. As an EPA On-Scene Coordinator, my official responsibilities include assessing the need for removal response actions pursuant to Section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. § 9604(a), and 40 C.F.R. § 300.415(a) and (b), of the National Oil and Hazardous Substances Contingency Plan (NCP), codified at 40 C.F.R. Part 300 et seq. On-Scene Coordinator responsibilities encompass performing all aspects of the technical and administrative management of removal actions at Superfund sites. I exercise lead responsibility for conducting removal response actions using Superfund funds to clean up sites contaminated with hazardous substances, pollutants, or contaminants under CERCLA Section 104(a) and 40 C.F.R. § 300.415(e). I also exercise lead oversight authority for removal actions conducted by potentially responsible parties either under a CERCLA Section 104(a) agreement, or an order issued by EPA under CERCLA Section 106(a), 42 U.S.C. § 9606(a).

BACKGROUND

Removal Site Evaluation

4. The Explo Systems Site (Site) is located at 1600 Java Road, Minden, LA 71055-7924, within the boundaries of Camp Minden. The Site encompasses approximately 134 acres. On Camp Minden there are two other companies with operations similar to Explo Systems, Inc. (Explo). Java Road is the northern boundary of the Explo lease with the Louisiana National Guard. The remaining areas that border the Explo facility included undeveloped forested land. The town of Doyline, with an estimated population of 800 people, is located less than 4,000 feet

south of the Explo facility. A railroad switching and storage yard is approximately 500 feet to the northwest of the Site. Paved roads and tank trails traverse the entire Camp Minden property. While Camp Minden is fenced and patrolled by on-duty National Guardsmen, deer hunting is allowed by permit on the base. The Louisiana National Guard Youth Challenge Program (school) and the Webster Parish Prison are also located on Camp Minden.

5. Explo Systems, Inc. (Explo) operated under several contracts with the U.S. Army (i.e., November 16, 2006 and March 24, 2010) or subcontract agreements with parties such as General Dynamics-OTS (i.e., September 19, 2011, and January 17, 2012) for the demilitarization or dismantling of munitions. One of Explo's processes included the dismantling of 750 lb. and 2,000 lb. bombs and recovering the explosive charges, the metals found in the bombs, and other materials used for packing and transport of the weapons or charges. Another process addressed packaged dunnage bags of propellants. The process of demilitarizing howitzer cartridges containing M6 propellant and Explo System's improper storage of the M6 Propellant and other explosive materials resulted in an explosion occurring at the Site.

6. On 15 October 2012, the explosion of a magazine and two tractor trailers containing smokeless powder and M6 propellant at Explo Systems shattered windows in Minden, LA (i.e., approximately 4 miles northeast from the explosion site) and generated a 7,000-foot mushroom cloud. The explosion resulted in the complete destruction of the storage magazine containing the material, the tractor trailers parked outside the magazine, damage to 10 railcars, and the release of unconsumed M6 propellant over ¼ mile from the site of the explosion requiring remediation.

7. On 27 November 2012, the Louisiana State Police (LSP) identified approximately 10 million lbs. of unsecured M6 Propellant and other explosives at the Explo Systems Site. M6

propellant was stored in 60 lb. paper boxes, 140 lb. paper drums, and 880 lb. super sacks throughout the Explo Systems, Inc. buildings, hallways and outside the facility, where it was exposed to the elements (i.e., heat, wind, and rain).

8. During an action overseen by the Louisiana State Police, Explo Systems employees relocated the unsecured explosives to magazines. Explosives from Explo currently occupy 98 magazines at Camp Minden. The magazines storing the explosives are located in explosive magazine storage areas known as L-2, L-3, and L-4. The magazines hold a maximum of 125,000 lbs. or 300,000 lbs, depending on the configuration of the magazine, the type of packaging, and type of explosives stored within each magazine.

RELEASE OR THREATENED RELEASE INTO THE ENVIRONMENT

Explosives and Materials found at the Site

9. Overall, approximately 18,000,000 pounds of M6 propellant and other explosives are stored within magazines at Camp Minden. The explosive materials stored on Site are as follows:

- 128 lbs. of black powder
- 200 lbs. of Composition H6
- Four 50-gallon drums of ammonium perchlorate
- Two 50-gallon drums and 3-50 lb. boxes of Explosive D (ammonium picrate)
- 109,000 lbs. of M30 propellant
- 320,000 lbs. of Clean Burning Incendiary (CBI)
- 661,000 lbs. of Nitrocellulose
- 1.817 million lbs. of Tritonal (aluminum/TNT) mixture
- 15 million lbs. of M6 propellant
- Unknown volume of Red Water (water contaminated with TNT)
- Effluent associated with the Super Critical Water Oxidation Unit (SCWO)

The inventory was initially provided to LANG by Explo Systems, Inc., and later modified by Department of Defense (DOD), Explosives Safety Board (ESB) during Technical Assistance/Safety Assessments performed at the Explo Site, and documented by April 18, 2013, and June 20, 2013, Reports. In addition to the explosive materials stored at Camp Minden, an

additional 2.6 – 3 million pounds of M6 is stored in Camden, Arkansas. The M6 propellant in Camden, Arkansas poses similar risk to the public health, welfare and the environment due to the stability concerns, and the auto-igniting capability of the M6 propellant.

10. The M6 propellant is a mixture of nitrocellulose, dinitrotoluene, dibutylphthalate, and diphenylamine. This mixture, primarily due to the nitrocellulose is extremely reactive and is characteristic hazardous waste, D003, as defined by 40 C.F.R. §261.23. Characteristic hazardous waste are hazardous substances under CERCLA Section 101(14), 42 U.S.C. § 9601(14). Dinitrotoluene and dibutylphthalate are listed hazardous substances under 40 C.F.R. §302.4. Dinitrotoluene is also a listed hazardous waste, D030, under 40 CFR 40 C.F.R. §261.30. Diphenylamine is a stabilizer.

11. The primary component of Tritonal (aluminum/TNT mixture) and a large portion of Composition H6 is trinitrotoluene (TNT). TNT can cause damage to the liver, anemia, and to the male reproductive system. Degradation of the Tritonal or aluminum/TNT mixture will result in the formation of pink or red water. Pink or red water from TNT is a listed hazardous waste (i.e., K047), under 40 C.F.R. §261.32. Listed hazardous waste are hazardous substances under CERCLA Section 101(14), 42 U.S.C. § 9601(14).

12. The M30 propellant is a mixture of nitrocellulose, nitroglycerin, nitroguanidine, and Centralite. Nitroglycerin is a listed hazardous substance under 40 CFR §302.4. Nitroguanidine is an extremely low sensitivity explosive with a high detonation velocity. A stabilizer is also added to the M30.

13. Nitrocellulose, found by itself and as a constituent of the propellants is extremely reactive and is a characteristic hazardous waste, D003, as defined by 40 CFR §261.23.

Nitrocellulose is a listed hazardous material, UN 2556. Characteristic hazardous waste are hazardous substances under CERCLA Section 101(14), 42 U.S.C. § 9601(14).

14. Composition H6 is another mixture of TNT and aluminum but is 45% cyclotrimethylenetrinitramine, also known as RDX. RDX is another powerful explosive and is a characteristic hazardous waste, D003, as defined by 40 CFR §261.23. In the H6 mixture, its power is increased by the addition of aluminum.

15. Ammonium picrate is a hazardous substance under 40 CFR §302.4. It is highly explosive and can form crystals that are extremely shock sensitive.

16. The hazardous substances identified above are designated in Section 101(14) of CERCLA, 42 U.S.C. §9601(14) and 40 CFR §302.4.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 16, 2013

/s/ Paige Delgado
Paige Delgado
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